

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LINDSEY DRAHOS,

Plaintiff,

v.

**U.S. BANK NATIONAL
ASSOCIATION, *et al.*,**

:

Case No. 2:25-cv-663

Chief Judge Sarah D. Morrison

Magistrate Judge Kimberly A.

Jolson

:

Defendants.

ORDER

Lindsey Drahos filed this *pro se* action against U.S. Bank National Association, Millenium Capital and Recovery Corporation, Lost & Found Recovery, and an unknown Lost & Found Recovery employee, John Doe, for their actions during the repossession of her vehicle. (Compl., ECF No. 1-1.) This matter is before the Court on the Order and Report and Recommendation issued by the Magistrate Judge on July 10, 2025. (R&R, ECF No. 4.) After performing an initial screen of the Complaint pursuant to 28 U.S.C. § 1915(e)(2), the Magistrate Judge recommended that the Court (a) dismiss Ms. Drahos's claims against U.S. Bank and her claims brought under Ohio Revised Code §§ 2911.21 and 2909.06; (b) allow her federal claims to go forward against Millenium, Lost & Found Recovery and John Doe; and (c) decline to determine at this time whether it will exercise supplemental jurisdiction over her remaining state law claims—breaching the peace, civil conversion, and negligence. (*Id.*)

A. Objections to the R&R

After the time for filing objections passed, Ms. Drahos filed a Motion for Extension of Time to File Late Objections to the Magistrate Judge's Report & Recommendation, asserting excusable neglect. (ECF No. 12.) Upon consideration and for good cause shown, Ms. Drahos's Motion (ECF No. 12) is **GRANTED**.

If a party objects to a report and recommendation, the Court "shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which the objection is made." 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b). Upon review, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

The Magistrate Judge recommended that the Complaint be dismissed in part, explaining that 1) Ms. Drahos failed to state a claim upon which relief can be granted against U.S. Bank; 2) she cannot bring her claims for criminal trespassing and criminal damaging; and 3) the Court should not determine whether to exercise supplemental jurisdiction.

In her objections to the R&R, Ms. Drahos argues that 1) she plausibly pled her claims against U.S. Bank; 2) dismissal of the criminal claims was premature; and 3) the Court should retain supplemental jurisdiction. As to the claims against U.S. Bank, Ms. Drahos has neither specified which claims are against it nor how it was involved in the alleged repossession of her vehicle. Asserting that she entered into an auto loan agreement with U.S. Bank, without more, is insufficient to state a claim for relief. Next, Ms. Drahos cannot bring a civil lawsuit based on criminal offenses as a private citizen. Finally, the Court need not decide whether to retain

supplemental jurisdiction over her remaining state law claims at this time. The Court finds no error in the Magistrate Judge's conclusions or reasoning. Ms. Drahos's objections provide no basis to conclude otherwise.

B. U.S. Bank's Motion to Dismiss

In addition, U.S. Bank filed a Motion to Dismiss (ECF No. 11). Because the Court adopts the Magistrate Judge's recommendation to dismiss the claims against U.S. Bank, its Motion is **DENIED as moot**.

C. Conclusion

Ms. Drahos's Motion for Leave to File Late Objections to the Magistrate Judge's R&R (ECF No. 12) is **GRANTED**.

Ms. Drahos's objection to the R&R (ECF No. 12) is **OVERRULED**. The R&R (ECF No. 4) is **ADOPTED** and **AFFIRMED**. Ms. Drahos's Complaint is **DISMISSED in part**:

- Ms. Drahos's claims against U.S. Bank are **DISMISSED**;
- Ms. Drahos's claims under Ohio Revised Code §§ 2911.21 and 2909.06 are **DISMISSED**; and
- The Court **DECLINES** to determine at this time whether the Court will exercise supplemental jurisdiction over Ms. Drahos's remaining state law claims.

U.S. Bank's Motion to Dismiss (ECF No. 11) is **DENIED as moot**.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON, CHIEF JUDGE
UNITED STATES DISTRICT COURT